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Attorneys for Plaintiff DARIUS ROWSER and AMITA GUPTA  
on behalf of themselves and all others similarly situated

11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 DARIUS ROWSER, an individual,  
14 and AMITA GUPTA, an individual,  
on behalf of themselves and all others  
15 similarly situated,

16 Plaintiff,

17 vs.

18 TRUNK CLUB, INC., a Delaware  
19 corporation; and DOES 1 through 10,  
inclusive,

20 Defendants.

Case No.: 2:17-cv-05064-DSF-RAO

Class and Collective Action

Assigned for All Purposes to:  
Hon. Dale S. Fischer

**NOTICE OF MOTION AND  
PLAINTIFFS' UNOPPOSED MOTION  
FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT**

*[Filed concurrently with Memorandum;  
Declarations of Jennifer Mills and David  
Yeremian; and [Proposed] Order]*

Hearing: January 14, 2019  
Time: 1:30 p.m.  
Dept.: Courtroom 7D, 1<sup>st</sup> Street  
Courthouse, Los Angeles, CA

Original Complaint: July 10, 2017  
Amended Complaint: August 17, 2017  
Second Amended: June 26, 2017

**TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that, on **January 14, 2019**, at **1:30 p.m.** or as soon thereafter as counsel may be heard, in Courtroom 7D of this Court, located at 350 West 1st Street, Los Angeles, California, before the Honorable Dale S. Fischer, Plaintiffs DARIUS ROWSER and AMITA GUPTA (“Plaintiffs”), on behalf of themselves and the putative Settlement Classes of similarly situated employees of Defendant Trunk Club, Inc. (“Defendant”), will and hereby do move the Court for an Order granting final approval of the parties’ Stipulation of Settlement (“Settlement Agreement”). A copy of the Settlement Agreement has been provided for the Court’s review at Exhibit A to the previously filed declarations of Plaintiffs’ counsel, David Yeremian, Esq., in support of preliminary approval and the fees and costs motion. (ECF No. 32-2, Exhibit A; ECF 40-2, Exhibit A). The motion will be heard concurrently with Plaintiffs’ Motion for award of requested attorneys’ fees and reasonable litigation costs to Plaintiffs’ counsel and an award of the Class Representative Enhancement and Service Awards to Plaintiffs (“Fees and Costs Motion”), as detailed in the Motion documents filed **November 26, 2018**. (ECF No. 40 through 40-14). Defendant does not oppose the Motion or the requested awards.

Plaintiffs make this Motion pursuant to the Court’s authority to approve the class-action settlement upon finding that it is fair, reasonable, and adequate under Rule 23(e)(2) of the Federal Rules of Civil Procedure. The basis for this Motion is that the proposed settlement is fair, adequate, and reasonable and in the best interests of the Class and Collective as a whole, and the procedures proposed by the parties are adequate to ensure the opportunity of Class members to participate in, opt out of, or object to the Settlement. The Court has already preliminarily approved the Settlement, and the Settlement Administration has been completed successfully and provides reasonable compensation to Plaintiffs and the Class and Collective Members for their claims against Defendants.

1 Plaintiffs request entry of the concurrently provided [Proposed] Order and  
2 Judgment granting final approval of the Settlement Agreement and awarding the  
3 Settlement Administrator, Rust Consulting, Inc., reasonable administration costs and  
4 fees of \$25,000.00. Plaintiffs further request that the Court approve the requested  
5 attorneys' fees and costs and representative enhancement awards, as addressed in  
6 the Fees and Costs Motion documents.

7 Plaintiffs respectfully submit good cause exists for granting the Motion for  
8 the reasons set forth in the concurrently filed documents, and those submitted with  
9 the Fees and Costs Motion. This Motion is based upon this Notice of Motion and  
10 Unopposed Motion, the Memorandum of Points and Authorities, and the  
11 Declarations of David Yeremian (Class Counsel) and Jennifer Mills (Settlement  
12 Administration), along with the other documents filed herewith and previously,  
13 including the Settlement Agreement, any Exhibits to the Declarations, and the  
14 [Proposed] Order and Judgment, as addressed above, and the other pleadings and  
15 records on file in this action, and the presentations of counsel and such oral or  
16 documentary evidence as may be presented at the hearing on this unopposed  
17 Motion.

18 The parties seek an Order: (1) finding that the proposed class-action  
19 settlement is fundamentally fair, adequate and reasonable, and (2) granting final  
20 approval of the settlement.

21  
22 DATED: December 17, 2018

DAVID YEREMIAN & ASSOCIATES, INC.

23  
24 By: /s/ David Yeremian

25 David Yeremian  
26 Alvin B. Lindsay  
27 Attorneys for Plaintiffs  
28 and the putative Classes and Collective